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**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA,
WESTERN DIVISION**

JOSE FRANCISCO GARZA DURON) **Case No: CV15-07048 MWF(Ex)**
ALEJANDRO GARZA)

Plaintiffs,

**ORDER ON STIPULATION
FOR ENTRY OF JUDGMENT
AND DISMISSAL OF ACTION**

v.

24 HOUR MUSIC, LLC; and
DOES 1-5,

Defendants.

Plaintiffs JOSE FRANCISCO GARZA DURON AND ALEJANDRO
GARZA (collectively, "Plaintiffs") and Defendants 24 HOUR MUSIC LLC and
Martin Fabian (hereinafter "Defendants") have stipulated to settlement of this

**ORDER ON STIPULATION FOR ENTRY OF JUDGMENT AND
DISMISSAL OF ACTION**

1 action without adjudication of any issue of fact or law. This entry of Judgment
2 shall also serve as a stipulation for dismissal.

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4 **FINDINGS**

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6 1. This Court has jurisdiction over the claims brought by plaintiffs under
7 28 U.S.C. §§ 1332. This Court has jurisdiction over the parties.

8 2. Venue in the Central District of California, United States District
9 Court (“this federal district”), is proper as to the parties as the performance of the
10 written agreement alleged in this complaint was governed pursuant to a mandatory
11 forum selection clause.

12 3. The complaint states claims under applicable law for which relief may
13 be granted.

14 4. There are no finding of fact or conclusion of law of fraud,
15 misrepresentation and/or intentional tort.

16 5. The parties have entered into a Stipulation for Entry of a Stipulated
17 Judgment freely and without coercion.

18 6. The parties, and each of them, have acknowledged that they have read
19 the provisions of the Stipulation as well as this Stipulated Judgment (hereafter
20 “Judgment”) and will abide by them.

21 7. The parties to the Stipulation have waived all rights to appeal or
22 otherwise challenge or contest the validity of this Judgment.

23 **NOW THEREFORE**, the Parties stipulate as follows:

24 **Stipulation for Judgment.**

25 Defendants 24 Hour Music LLC and Martin Fabian shall make one (1)
26 payment of Eight-Five Thousand Dollars (\$85,000.00) to Plaintiffs. Plaintiffs
27 shall forbear from exercising its right to enforce the judgment entered pursuant to
28 this Stipulation for a period of seven (7) years from the date of entry of this

1 Judgment. Plaintiffs shall not record the judgment for a period of seven (7) years
2 from the date of entry of this Judgment. Defendants are jointly and severally liable
3 to the above stated amount.

4 **ORDER**

5 IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

6 1. This Court has jurisdiction over the subject matter of this action and
7 the parties hereto.

8 2. Judgment is hereby entered in favor of Plaintiffs against Defendants
9 24 Hour Music LLC and Martin Fabian jointly and severally in the amount of
10 Eight-Five Thousand Dollars (\$85,000.00).

11 3. All remaining claims against Defendants 24 Hour Music LLC and
12 Martin Fabian are dismissed pursuant to this judgment.

13 4. The parties waive costs and attorney's related to this action.
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17 IT IS SO ORDERED.

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20 Dated: February 7, 2019



21 HON. MICHAEL W. FITZGERALD
22 United States District Judge
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